

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.61463 of 2017

Arising Out of PS.Case No. -349 Year- 2016 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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Dinkar Kumar S/o Shyam Vinay Shahi, R/o Village and Post- Basua, P.S.-
Aurai, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Praveen Kumar

For the Opposite Party : Mr. Sri Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 09-02-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Muzaffarpur Town P.S.

Case No. 349 of 2016 instituted for the offence under Section-395 of
the Indian Penal Code.

It is alleged in the written report that the informant along
with Sevendra Kumar Singh went to deposit an amount of Rs.
14,79,453/- in HDFC bank by a vehicle and all of sudden, Sevendra
Kumar Singh sustained injury in his left hand and wrist and he fell
down. Thereafter, total six persons, having armed with pistol, took
away the bag after making firing and fled away towards southern side
on motorcycle. Sevendra Kumar Singh and the informant were brought
by local people for treatment. Sevendra Kumar Singh was admitted in
ICU and FIR has been lodged against unknown.

The name of this petitioner has come during investigation in
confessional statement of co-accused Sumit Kumar.



The case diary has been received.

The learned APP after perusing the case diary has submitted that there is no recovery of any incriminating article from possession of the petitioner. It has been mentioned at paragraph-3 of the petition that the petitioner has clean antecedent.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Muzaffarpur Town P.S. Case No. 349 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will liable to cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

A.K.V./-

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